

MINUTES OF THE CITY OF BURLINGTON
CITY COUNCIL WORK SESSION
November 1, 2010

The City Council of the City of Burlington held a regularly scheduled work session at the John Robert Kernodle Senior Activity Center, 1535 South Mebane Street, Burlington, N.C., on November 1, 2010, at 7 p.m.

Councilmembers present: Mayor Ronnie K. Wall, Mayor Pro Tem David Huffman, Councilmembers James Butler, Stephen M. Ross and Celo Faucette

Councilmembers absent: None

Harold Owen, City Manager, present

Robert M. Ward, City Attorney, present

Jondeen D. Terry, City Clerk, present

Other Staff Present: David Beal, Don Davis (retired), Bob Harkrader, Frank Hope, Nolan Kirkman, Michael Layne, Bob Patterson, Peggy Reece, Danny Scales, and John Nixon.

Others Present: Paul Koch and Tyson Graves, Stantec

Media Present: Michael Abernathy, Times-News; Tomas Murawski, Alamance News

A) North Church Street - Graham-Hopedale Road Intersection Study

Public Works Director Nolan Kirkman said that there were several intersections that could benefit from improvements but that MPO dollars had funded the study for the US 70 (Church Street) at Graham-Hopedale Road intersection. He introduced Paul Koch and Tyson Graves with Stantec who conducted the study.

Mr. Koch and Mr. Graves reviewed the existing traffic counts and the expected volumes for 2015 and 2020. They said that there have been lots of driveway crashes and conflicting movements at the intersection from 2007-2009. They said they would try to solve the problems with the following intersection improvement recommendations:

- Construct a new southbound right turn lane (100' storage needed) - Graham-Hopedale Road

- Extend southbound left-turn lane on Graham-Hopedale to Martin Street (100' left turn storage needed)
- Construct island on west bound and east bound approaches on Church Street and the northern leg of Graham-Hopedale Road. Would prevent left turn onto the street.
- Graham-Hopedale Road will be widened to add turn lanes.

Mr. Koch pointed out that utilities still had to be considered. He said the estimated cost was \$561,000 for the widening, signal work, curb and gutter, traffic signals, etc., including a 15% contingency.

Mr. Koch reiterated that left turns bog down traffic and create safety hazards. He said he would prepare a formal proposal.

B) Sanitation "Free Pick-Up"

Mr. Kirkman introduced Sanitation Superintendent Danny Scales and former Sanitation Superintendent Don Davis. Mr. Kirkman said staff was recommending a free bulk pickup period. He said that in the past it had been a stress on manpower and equipment. He proposed the period from Monday, February 14 to April 1, 2011, for the free pickup period which would spread the time out over a 1-1/2 month period. He stressed that nothing changes except that the fees will be waived - that there will be no charge for the bulk pickup (same materials, same day). He said staff will utilize the website, CityWorks, water bills, newspaper, social media, press release, etc., to inform citizens. He said staff will also use this time to educate citizens on what the City does and does not pick up.

Questions and Answers:

What is bulk pickup? Larger items collected by "knuckle-boom" trucks with a "clamshell" or "claw-like" device.

Bulk Junk - Large household junk items:

- Mattresses
- Furniture
- Large appliances
- Rolled carpet
- White goods*
- Large metals"

*Collected by separate truck; items sold for recycling.

Bulk Yard Waste - Large yard waste items

- Large volumes
- Tree trimmings
- 6' or less in length
- Limbs (less than 6" across max)
- Note that collection of small yard waste is always free

Materials banned from landfill taken to be recycled into mulch.

Materials Not Picked Up:

City does not pick up these materials that are banned from the landfill by state statute:

- Used oil and filters
- Antifreeze
- Scrap tires
- Lead acid batteries
- Wood pallets
- Construction debris
- Oyster shells
- Fluorescent light tubes (effective July 1, 2011)
- Electronics (effective July 1, 2011)
- Recyclables collected by Tidewater Fiber Corporation (TFC)

Normal Fees for Bulk Items:

- \$6.75 for each "bite" of the "clamshell"
- Exception: no charge if there is only one "bite" needed
- Bulk junk and bulk yard waste collected with different trucks
- Bills show units (cubic yards): 1 "bite" less than 1.5 cubic yards

Mr. Owen noted that the "Free Bulk Pickup Period" will be put on an agenda for approval by Council.

C) Riparian Buffer Protection Ordinance

Stormwater Director Michael Layne said a public hearing was held in March 2010 to solicit comments from the public before submitting the draft ordinance to the Department of Environment and Natural Resources (DENR). He explained that DENR sent a model ordinance; staff made modifications and submitted it to DENR. He said that DENR and the Environmental Management Commission (EMC) have approved Burlington's ordinance.

Mr. Layne said that the purpose of buffers was to control the undisturbed or managed property adjacent to streams. He explained that nutrients will be taken up through buffers and that buffers give stability to stream banks.

Mr. Layne reviewed major aspects of the buffer ordinance as follows:

- Effected Streams Identified on Maps
- Establishes a 50' buffer
 - Zone 1 - 30' Undisturbed
 - Zone 2 - 20' Vegetated
 - Diffuse flow
- Existing, Ongoing Uses - Grandfather Clause
 - Agriculture
 - Industrial
 - Buildings
 - Commercial Areas
 - Transportation Facilities
 - Maintained Lawns
 - Utility Lines
- Enforcement
 - Civil and Criminal Penalties

Approval of Ordinance

- Required by Jordan Lake Nutrient Management Strategy
- NCDENR created model ordinance (MO)
- Local governments to adopt MO or submit modifications to NCDENR and EMC for approval

NOTE: EMC approved draft ordinance on September 9, 2010.

Next Steps

- Set a date of public hearing (11/2/2010 Council agenda)
- Hold public hearing (11/16/2010 Council agenda)
- Consider Adopting Ordinance (11/16/2010 Council meeting)

Councilmember Ross commented that during the citizen education period when utility bill stuffers are used, it should be made clear this these rules are a result of the state, not the City Council.

Mr. Owen reiterated that DENR will handle the enforcement.

D) Demolitions

Assistant Director of Planning Services David Beal reviewed proposed demolitions located at 734 Power Street and 720 Rauhut Street. He asked Council to consider adopting the demolition ordinances at the November 2, 1020, City Council meeting.

Councilmember Butler said the demolitions should be done expeditiously.

E) Review of Land Planning - University Drive and Rockwood Corridors

Planning and Economic Development Director Bob Harkrader said that in November 2006 Council approved land planning for the western loop. He said that staff was starting to see renewed interest in development of the University Drive corridor. He explained that it was time to revisit land planning for that area so that more appropriate recommendations could be made to developers.

Mayor Wall said the discussion of the western loop zoning would be a good retreat topic.

Mr. Harkrader asked to include the Rockwood corridor in that discussion in accordance with a request from Mayor Pro Tem Huffman. Mr. Harkrader pointed out that it is important to discuss land use and transportation because land use affects the way transportation is planned. He indicated that staff would like to extend the limits of the study to include the newly reconstructed portion of Grand Oaks Boulevard north to Ethan Pointe.

Mr. Harkrader said that the Planning staff will make recommendations to Council at the retreat.

Councilmember Butler pointed out that changes will give an opportunity to help potential development.

F) Committee Reports

Councilmember Butler:

Alamance County Transportation Authority (ACTA)

- Last meeting held on October 20, 2010.
- Adopted the LCP (Local Coordinated Transportation Plan) which will give the organization access to federal funds under the 5310, 5316, and 5317 programs.

- Completed financial audit stating the health and soundness of the organization.
- As a noted matter of fact under the Operational Statistics or OpStats, we clearly showed ACTA's need in the county by providing in excess of 74,000 trips last year.
- ACTA is now entering the phase of identifying funds to start our CTSP which is a larger study required by the state. There is in excess of \$300,000 in funding tied to the completion of this study. The study is about \$80,000 and ACTA must pay a 10% match to these monies.
- All else with ACTA is status quo with nothing else significant left to report.

Transportation Advisory Commission (TAC)

- Last meeting held on October 19, 2010.
- Learned that we are moving from the "old" thoroughfare plan to a "CTP" or Comprehensive Transportation Plan. It will have four components:
 1. Highway
 2. Public Transit and rail
 3. Bicycle
 4. Pedestrian (future)
- DOT released the new guidelines for approving access to interstate highways.
- PART Grant - the grant that the MPO passed a resolution supporting was awarded. It was one of only two awarded in the state and one of 47 in the country. \$1.6 million - the emphasis of the grant was sustainable communities tying in housing and transportation
- Announced that on November 15, 2010, there will be a SPOT webinar in Greensboro; Mike Nunn will attend.

**Side note...Had an additional meeting in Greensboro with Mike Mills, Mike Stanley and Mike Fox. Bob Harkrader and Mike Nunn attended as well; discussed upcoming plans, accelerated and delayed projects. Good discussion about the "equity formula" which we are inadvertently penalized. Some of our funds go to the Interstate Maintenance program - Mr. Butler believes about 4.1 million dollars annually. Those without interstates have disproportionately more dollars to spend on transportation projects.

**Lastly, spent about two hours with DOT officials in Winston-Salem during the "Speed Dating with the DOT" workshop at the NCLM Annual Conference. Very informative.

NCLM Conference

Was Burlington's voting delegate; uneventful with the exception of a debate period coming up to set the agenda for the coming year. Mr. Butler encouraged Council to attend with a goals list of what we would like to see the NCLM add. NCLM Advocacy Conference is Thursday, January 20, 2011, from 9:30 a.m. to 5:00 p.m. at the Raleigh Convention Center.

Mayor Wall:

Attended Piedmont Triad Council of Governments (PTCOG) meeting.

- Called for a vote on the potential merger just strictly to see the results; was not a formal vote.
- Guilford County does not agree with the committee's recommendation in reference to weighted voting and the dollar amount. Guilford County is the only known group that is not in favor of the merger.
- Still having conversations concerning the merger.

H) City Manager Comments

Junk Car Ordinance

Harold asked to bring back the junk car ordinance at the December work session and Council was in agreement.

Indian Valley Reopening

Mr. Owen said that Indian Valley Golf Course would reopen on November 22, 2010.

LabCorp Request

Mr. Owen said that a request has been received from LabCorp to close the following street from Saturday November 13, 2010, at 8:00 a.m. until Sunday, November 14, 2010, at 5:00 p.m.:

Forestdale from South Church Street to Commerce Place

The purpose of the request is to install a generator for LabCorp, and it is expected to take two days to complete the job. They will be setting up a three-ton crane that will take up both lanes. Nolan Kirkman will be working with fire and police personnel.

Adjourn

The meeting was adjourned.

Jondeen D. Terry, City Clerk